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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/040,933

10/23/2001

Philippe Richard

60040-300201

3792

22208

7590

05/01/2006

ROBERTS ABOKHAIR & MARDULA  
SUITE 1000

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EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT

PAPER NUMBER

2132

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/040,933

Applicant(s)

RICHARD, PHILIPPE

Examiner

Venkatanarayanan Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 45-48 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 17, 18, 39 and 40 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.


**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
KAMBIZ ZAND  
PRIMARY EXAMINER

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. The Applicant's arguments filed 4/4/2006 are not persuasive. As Kayashima discloses the determining whether the client is online before sending connection data see Col 1 Ln 23-32. And further of establishing an direct link between server and client see Fig. 9 item 708. The checking of whether is client is online is done using the TCP/IP which is operable only during on-line communications on a network(internet) between client and server. And further the establishing of port connection(direct link) between servers(proxy) and clients are also done only when the client and server are on-line see Col 2 Ln 22-35. And further, Kayashima discloses TCP and UDP being used which is commonly known in the art to having connection/connectionless link with flow control thus satisfying the checking of whether the client is online and establishing a direct link.
2. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir.

1992). In this case, Kayashima and Hu talk to a connection between server and client using secure protocols, ports and proxy servers.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 102***

4. Claims 1, 23 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,195,366 B1 to Kayashima et al.(hereinafter Kayashima).
5. Regarding Claim 1, Kayashima discloses the invoking a client machine and registering the client environment<sup>1</sup> with a discovery machine coupled to the client machine(see Fig. 9 item 702 & Col 6 Ln 44-58, registering of server with the discovery machine( see Col 6 Ln 44-58), registering a host environment on the server machine with the discovery machine upon having a link to the client and delivering communications from the server and client see Col 6 Ln 59- Col 7 Ln 11 & Col 8 Ln 41-64, checking whether is client is online and establishing a direct

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<sup>1</sup> Definition of environment according to <http://www.techweb.com/encyclopedia>:

A particular configuration of hardware or software. "The environment" refers to a hardware platform and the operating system that is used in it. A programming environment would include the compiler and associated development tools.

Environment is used in other ways to express a type of configuration, such as a networking environment, database environment, transaction processing environment, batch environment, interactive environment and so on. See platform.

*Network environment includes ports, ip addresses and identifiers disclosed by Kayashima see Col 5 Ln 59-66.*

link see Col 1 Ln 23-32 & Fig. 11 item 801-802 & 812. And see arguments above.

6. Regarding Claim 23, Kayashima discloses the client machines, server machines, discovery machines coupled to a network and connection being established to transfer information see Fig. 9 item 101-104 & Col 6 Ln 44- Col 7 Ln 11, checking whether is client is online and establishing a direct link see Col 1 Ln 23-32 & Fig. 11 item 801-802 & 812. And see arguments above.

***Claim Rejections - 35 USC § 103***

7. Claims 2-16, 19-22, 24-38, 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,195,366 B1 to Kayashima et al. (hereinafter Kayashima) in view of U.S. Patent 5,586,260 to Hu.
8. Regarding Claims 2 and 3, 24 and 25, Kayashima does not disclose the server maintaining a log-on service by a set of member credentials. However, Hu discloses the server maintaining a log-on service by a set of member credentials see Fig. 4 item 52 & 50. It would be obvious to one having ordinary skill in the art at the time of the invention to include the server maintaining a log-on service by a set of member credentials in the invention of Kayashima in order to user interface and communication method as taught in Hu see Col 5 Ln 20-40.

9. Regarding Claims 4-8, 26-30, Kayashima does not disclose the host environment on the server machine determines access to a piece of information via a set of rules. However, Hu discloses the host environment on the server machine determines access to a piece of information via a set of rules see Col 4 Ln 28-43 & Col 4 Ln 59-66. It would be obvious to one having ordinary skill in the art at the time of the invention to include the host environment on the server machine determines access to a piece of information via a set of rules in the invention of Kayashima in order to determine the security parameters as taught in Hu see Col 28-34.

10. Regarding Claims 9-16, 31-38, Kayashima does not disclose the event handler that process the event including authentication and verification process. However, Hu discloses the event handler that process the event including authentication and verification process see Col 4 Ln 28-38 & Col 4 Ln 59- Col 5 Ln 3. It would be obvious to one having ordinary skill in the art at the time of the invention to include the event handler that process the event including authentication and verification process in the invention of Kayashima in order to provide for secure system as taught in Hu see Col 6 Ln 23-29.

11. Regarding Claims 19-22, 42-44, Kayashima does not disclose the user interface and environment cache and online type event a handler. However, Hu discloses the user interface and environment cache and online type event a handler see

Col 5 Ln 59- Col 6 Ln 11. It would be obvious to one having ordinary skill in the art at the time of the invention to include the user interface and environment cache and online type event a handler in the invention of Kayashima in order to get have more user friendly system as taught in Hu see Col 6 Ln 30-39.

***Allowable Subject Matter***

12. Claims 17-18, 39-40, 45-48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is the reasons form allowance: The Applicant is correct in assuming that Kayashima nor Hu disclose an second event handler. And those limitations are incorporated in base claims 44 and 47 and are thus deemed allowable.

***Conclusion***

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

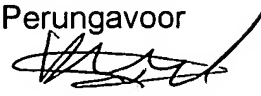
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advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VP  
4/27/2006

Venkatanarayanan Perungavoor  
Examiner  
Art Unit 2132

  
KAMBIZ ZAND  
PRIMARY EXAMINER